

## Message

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**Sent:** 9/5/2017 2:57:45 PM  
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**Subject:** USS Lead - Press

**East Chicago press clips****US EPA Region 5 – prepared by the Office of Public Affairs****September 1, 2017**

**Mlive RIGHTING AN 'INJUSTICE'**  
**An environmental threat: The East Chicago lead crisis one year later**

[http://www.nwitimes.com/news/special-section/ec-lead/an-environmental-threat-the-east-chicago-lead-crisis-one-year/article\\_d19a5de7-5bc0-5292-9fe7-29a6e999ade4.html](http://www.nwitimes.com/news/special-section/ec-lead/an-environmental-threat-the-east-chicago-lead-crisis-one-year/article_d19a5de7-5bc0-5292-9fe7-29a6e999ade4.html)

(link to article with multiple photos, graphics)

**RIGHTING AN 'INJUSTICE'**  
**An environmental threat: The East Chicago lead crisis one year later**

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- Updated Sep 3, 2017

It has been more than a year since Mayor Anthony Copeland informed more than 1,000 West Calumet Housing Complex residents it was in their "best interest to temporarily relocate" because of contaminated soil.

***Do you have questions?***

What are some the most burning questions about the East Chicago lead crisis you want to see answered? Call or email reporters Lauren Cross at 219-933-3206 or [lauren.cross@nwi.com](mailto:lauren.cross@nwi.com), or Sarah Reese at 219-933-2251 or [sarah.reese@nwi.com](mailto:sarah.reese@nwi.com).

The mayor's letter arrived in mailboxes amid other signs of a dire turn of events: Residents received letters from the U.S. Environmental Protection Agency showing high lead and arsenic levels in their yards, the federal agency spread mulch over bare dirt, and signs popped up warning children not to play in the dirt.

The mayor's letter immediately sparked an "extraordinary amount of anxiety and panic," thrusting the situation into the national spotlight, said Thomas Frank, an environmental activist who has fought pollution in the city for the last decade.

***By the numbers*****\$40 million**

The city has estimated it could cost as much as \$40 million to replace lead service lines and utilities at 5,300 residential properties in East Chicago, the estimated number of homes built before lead-based paint was banned in 1978.

**\$35 million**

USS Lead Superfund site costs incurred so far by the U.S. Environmental Protection Agency.

**\$4.85 million**

An engineering firm hired by the East Chicago Housing Authority estimated it will cost nearly \$5 million to remove all West Calumet improvements during demolition.

**\$3.9 million**

That same engineering firm offered an alternative, less expensive option for just under \$4 million if all sidewalks, roadways, utilities, etc. remained intact.

#### **\$2 million**

The Indiana Department of Housing and Community Development promised a \$2 million grant to the East Chicago Housing Authority's nonprofit arm to help with security and demolition of West Calumet.

#### **\$1.9 million**

HUD issued \$1.9 million in emergency relocation vouchers to West Calumet residents.

#### **\$670K**

East Chicago Housing Authority expended \$670,000 in capital funds for relocation of residents.

#### **\$568K**

U.S. Department of Housing and Urban Development relocating counseling contracts.

#### **\$200K**

State grants for public health nursing staff at the East Chicago Health Department and to relocation the "most vulnerable residents" from West Calumet.

#### **\$88K**

Cost incurred by FSSA's Division of Family Resources to replace 44 West Calumet households' potentially contaminated furniture and household items.

#### **\$77K**

Costs incurred by the East Chicago Housing Authority in the first half of 2017 in writing off delinquent West Calumet residents' rent owed. In November, a civil rights agreement reached with the Shriver Center required the East Chicago Housing Authority to waive rent for impacted residents.

"It seemed like an extreme response, because for years we came to hear these (environmental) threats over and over again in our city, and (officials) had neglected them. We hadn't heard anything prior to that from a public official sounding the alarm of an environmental threat, that people had to mass evacuate," Frank said.

"At the same time, it really brought out the gravity of the problem. By recognizing this threat, and reacting the way he did, (Copeland) gave credit to these kinds of issues."

By early August, about 200 people packed a meeting room to learn the East Chicago Housing Authority and U.S. Department of Housing and Urban Development wanted to tear down the complex and give residents vouchers to move. The city urged parents to have their children's blood tested for lead.

The evacuation also left thousands of residents at more than 1,000 other properties in the Calumet and East Calumet neighborhoods — all within the USS Lead Superfund site — wondering why they weren't being told to relocate. Many of them own their homes and have watched during the past year as their property values declined.

Superfund residents fear their myriad health problems may be caused by exposure to lead, arsenic and other legacy contaminants in a community that once billed itself as the country's "most industrialized city."

Cost estimates eclipsed

EPA was aware of possible contamination outside the USS Lead factory site in the 5300 block of Kennedy Avenue at least as early as 1985, records show. However, the agency addressed contamination on-site through its Resource Conservation and Recovery Act program before adding the factory site and residential areas — dubbed zones 1, 2 and 3 — to its Superfund list in 2009.

EPA selected a cleanup plan in 2012 that was estimated to cost \$28.9 million and require 21 months to complete, records show. Costs already have significantly exceeded that estimate.

The agency began work under the plan in summer 2016 in zone 3, after securing \$26 million under a 2014 consent decree with Atlantic Richfield Co. and E.I. du Pont de Nemours and Co. for cleanup of zones 1 and 3.

As of late July, EPA had incurred about \$35 million in costs at the USS Lead Superfund site and was seeking another consent decree to secure money for additional cleanups in zone 2, where work might not be completed until 2020, a spokeswoman said.

The federal agency anticipates spending about \$16 million for work this year in zone 2, but it has no projected total cost to complete the project across all three zones, the spokeswoman said.

It remains unclear when removal of contaminated soil in zone 1 might be completed. EPA shelved zone 1 cleanup plans after the East Chicago Housing Authority and HUD announced plans to demolish all the 346 units at the complex.

EPA began re-evaluating its cleanup options last year as part of an updated feasibility study. After the study is released, EPA again will begin the process of selecting a cleanup plan for zone 1.

"EPA is still on track to complete the feasibility study by the end of the year," an EPA spokeswoman said.

"After the study is completed, EPA will begin the process to amend the record of decision and to renegotiate the consent decree. Community input is an important part of both of these processes."

The costs incurred so far have been paid through a combination of government funding and money from "potentially responsible parties," which are companies, or successors to companies, potentially responsible for the pollution. Those parties also have incurred costs unknown to EPA to dispose of contaminated soil, EPA said.

According to a March memo, EPA estimated \$43.25 million will be needed for "emergency removal actions" dating back to 2005 at the site, including outdoor excavation and indoor dust cleaning in zone 2. A \$16 million settlement reached in March with Atlantic Richfield, du Pont, the Chemours Co. and U.S. Metals Refining Co. will fund some of those activities, EPA said.

EPA Region 5 acting Administrator Robert Kaplan did not rule out additional cleanups if EPA lowers its residential standards for lead. The agency has been considering changes to a rule that sets the standard at 400 parts per million. EPA must conduct a five-year review after completing excavations. If the standard is lowered before the review, EPA could determine it's necessary to clean properties where lead concentrations were below 400 ppm but above a new standard, Kaplan said.

Meanwhile, residents have been pushing since the fall for a say in court. They recently asked a U.S. District Court judge to reconsider a magistrate's decision that denied their motion to intervene in the 2014 consent decree.

Residents have successfully urged EPA during the past year to test indoor dust and basements for contamination, but more accountability is needed, said Debbie Chizewer, an attorney at Northwestern University Pritzker Law School's Environmental Law Clinic.

"If this motion is granted, we would have the opportunity, as the consent decree evolved, to have input," said Chizewer, one of several attorneys working pro bono on behalf of residents. "We would become a party to the process and (ensure) EPA is living up to the consent decree."

#### Future of West Calumet

The West Calumet Housing Complex now stands empty, surrounded by a barbed-wire fence to prevent trespassers, as HUD considers the East Chicago Housing Authority's demolition plans.

After demolition plans were announced, city, state and federal officials poured resources into the relocation of the 300-plus families. Sidestepping a process that typically takes months to years, HUD weeks later issued \$1.9 million in emergency relocation vouchers to ECHA for the evacuation of residents without a formal, written plan in place.

In all, HUD spent about \$568,000 for relocation and mobility counseling technical assistance to ECHA, said James Cunningham, deputy administrator for HUD Region 5.

City and housing officials were originally set on a Nov. 30, 2016, move-out deadline, but the last remaining families did not leave until June 16, state records show.

A Chicago-based housing watchdog group quickly stepped in, arguing the chaotic, rushed process would be a nightmare for families that needed more guidance and financial moving assistance.

After a complaint was filed with HUD headquarters, ECHA agreed to about \$670,000 in capital funds to assist with moving costs, and the state awarded ECHA another \$100,000 in grant dollars to aid the most vulnerable of West Calumet residents.

Residents since have scattered. Many have found new homes in the Chicago area or Northwest Indiana. According to HUD, 62 households remained in East Chicago, 46 transferred to the Gary Housing Authority, 40 went to the Hammond Housing Authority and 25 moved to Chicago public housing. Another 70 found public housing elsewhere in Cook County, while 46 went to "other areas." Those numbers reflect the number of vouchers used by residents.

Additionally, five families moved into traditional public housing, nine families moved to other, non-subsidized housing and 26 families were transferred to emergency ECHA housing units, says HUD.

"At this point, nobody has been made whole," Frank said.

The Community Strategy Group, of which Frank is a member, presented HUD Secretary Ben Carson with a list of demands during his recent visit to East Chicago. The group wants HUD to offer a "second move" option for families who moved out quickly, start a recovery fund to cover incidental costs not covered under the original move and provide contamination risk assessments at residents' new homes.

Once demolition is complete, Copeland has said the city "will work with residents, businesses and other stakeholders to determine the future use."

"The long-term use is undecided at this juncture, but once demolition and cleanup (are) complete, we will determine the best use. Once we are fully satisfied that the property is completely free of contamination to the best possible level

(which is cleaning it to residential standards), the city will move forward with appropriate development. East Chicago continues to enjoy demand for development, even in spite of this unfortunate situation," the city said in an email. Copeland also spoke about the site's future at a news conference following Carson's Aug. 7 visit.

"We have to take an injustice and right it," Copeland said.

"And that right comes when we restore that property to residential standards. That is what the people have asked for. When we clean it to residential standards, then we will be able to develop it to any level; that would be commercial, that would be new housing, anything. So, this is what we are waiting for — for the EPA to give us the clean bill of health." Though the local housing authority owns the land, HUD and ECHA together have a "declaration of trust" that reflects HUD's interest in the land. That trust requires HUD approval for any use other than public housing, Cunningham said. "ECHA must obtain HUD approval to dispose of the property for a use other than public housing," Cunningham said. Any HUD project also would require federal approval.

#### Dispute over demo plan

East Chicago officials and EPA remain at odds about whether EPA could have safely cleaned up soil around the complex without creating unreasonable risks to residents' health.

East Chicago officials said they do not believe EPA could have adequately protected West Calumet residents from dust stirred up by excavation of soil during cleanup activities. But EPA officials said they have years of experience in lead cleanups and would have put protective measures in place to prevent the spread of airborne toxins.

The complex was built in the footprint of the former Anaconda lead smelter in the early 1970s and is the most heavily contaminated part of the Superfund site, EPA records show.

Despite its public health concerns, the city in April dug up a playground at the complex while residents still lived there. The city removed the playground without notifying EPA, and EPA later covered the bare soil with mulch to prevent further lead exposure, an EPA official said at the time.

In May, HUD issued a preliminary finding that demolition "is warranted to protect human health" and would have "no significant impact on the human environment." Because of its finding, HUD determined an environmental impact statement under the National Environmental Policy Act of 1969 was not required.

Residents rejected the finding, arguing demolition plans include activities that would pose greater health risks to residents than EPA's initial plans.

The groups fear disturbing soil at depths of up to 8 feet but not removing it, and exposing groundwater, could threaten the health of residents in zones 2 and 3 and people living downwind from the Superfund site.

Residents want HUD to conduct a full environmental review under the 1969 law before allowing demolition to move forward. HUD's environmental review is separate from a review determining future land use, HUD said.

EPA project manager Thomas Alcamo said at recent meetings that EPA has reviewed demolition plans and is awaiting more details. ECHA and HUD have been receptive to EPA's suggestions, and Alcamo expects that dialogue will continue as more details of the demolition plan are worked out, he said.

EPA has offered input on demolition plans, but HUD ultimately will sign off.

Sincerely,

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